

**From:** [Ricci, Richard F.](#)  
**To:** [Fajardo, Juan](#)  
**Cc:** [Carpenter, Angela](#); [Mitchell, Tanya](#); [Sivak, Michael](#); [Draikiwicz, Michael \(michael.draikiwicz@novartis.com\)](#); [mfaigen@issuelc.com](#); [Brian Bergeron](#); [Gary M. Fisher](#)  
**Subject:** RE: Rolling Knolls Landfill Oversight Cost Meeting  
**Date:** Friday, March 20, 2015 4:47:26 PM

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Juan – Thanks for the quick response. As a follow-up, we received an email from Tanya on March 19, which appeared to us to be somewhat inconsistent with item 6 in my summary. In her email, Tanya indicates that the additional data gap activities should begin “without delay” and that monitoring well installation should begin on March 30. It was, however, our understanding that the additional data gap activities, which would include installation of the monitoring wells, would begin after submission of the electronic data deliverables (“EDD”), currently scheduled for the week of April 20, and after the conference call that we were targeting for the end of April. We based this understanding on an email that we received from Tanya on March 12, which I have copied below:

*From: Mitchell, Tanya [<mailto:Mitchell.Tanya@epa.gov>]*

*Sent: Thursday, March 12, 2015 8:15 AM*

*To: Persico, John; Walls (Young), Suzy*

*Cc: Sivak, Michael*

*Subject: FW: Rolling Knolls*

*John,*

*Below is an initial response to your concerns regarding the results of the fall Data Gap sampling. I’m not quite sure if EPA can add much more to the discussion at this time.*

*However, once EPA receives the EDD, reviews the comments from NJDEP and identify additional sampling, I think a conference call would be more beneficial.*

*Based on the aforementioned concerns, please let me know if you still would like to have a call next week.*

*Regards,*

*Tanya*

*From: Persico, John [<mailto:John.Persico@arcadis-us.com>]*

*Sent: Wednesday, March 11, 2015 4:00 PM*

*To: Mitchell, Tanya; Sivak, Michael*

*Cc: Walls (Young), Suzy*

*Subject: RE: Rolling Knolls*

*Tanya and Michael, we are not available for a call on Monday, but will be available Tuesday.*

*Please let me know what time is best. Additional details on the discussion subjects:*

- Basis for selecting new wells – how did USEPA select these locations? Will these same criteria be used in the future? Are these the last wells to be requested in response to the recent data?*

*Response: EPA’s rationale for the MW locations were provided on the revised Table 5. Future criteria and additional MWs would depend on the review and evaluation of such data. At this time, it would be premature to commit to unknown future needs.*

- Analytical parameters – what are the appropriate analytical parameters at the monitoring wells and soil delineation samples? We have more data than prior to the Data Gaps SAP, so we can revisit this.*

*Response: The analytical parameters would remain the same. The overall purpose of the Data*

*Gap sampling is to acquire additional data and further delineate the site.*

- *Use of pore water samplers – we can revisit the idea of using pore water samplers downgradient of MW-10 now that the weather is warmer.*

*Response: Yes, we can revisit the pore water samplers. However, the data may indicate that an additional MW to be installed, the current suggested MW along with the pore water samplers.*

- *Field verification of new well locations – we anticipate that some of the well locations will have to be moved based on access limitations, and we would like USEPA to participate in field verification of the locations before we begin drilling. This will reduce or eliminate the need for a Field Change Request, helping keep the project moving.*

*Response: EPA would continue its oversight of field activities and be available to participate in the field verification of the MW locations.*

- *Timing of NJDEP comments – when are they expected?*

*Response: NJDEP comments are anticipated next week. EPA will review and will forward comments as deemed appropriate.*

- *Schedule – start of field work; BERA WP*

*Response: EPA is awaiting ARCADIS to provide an EDD of the Data Gaps data to the Region 2 database for evaluation. Once data has been reviewed for QA/QC concerns and identification of additional sampling, a proposed schedule for field work can be identified.*

As you will note, her last response seems to indicate that a sampling schedule for field work would be developed after submission of the EDD. When Tanya suggested during the meeting that we schedule the conference call for the end of April, we interpreted that as confirmation that additional data gap sampling would take place thereafter.

Our primary goal in developing the schedule was to assure that we could complete the remaining data gap sampling in a single mobilization. In light of Tanya's March 19 email, we will be mobilizing the driller to the site on March 30. It will take approximately 10 days to install the additional monitoring wells. If the EPA believes that it will require additional sampling or wells, we would very much appreciate if this could be communicated to us while we are in the field. In addition, we understand that the EPA is awaiting comments from the DEP on the results of the first round of data gap sampling. If the DEP is going to require sampling beyond what the EPA is requesting, again, it would be helpful if we could be so advised while we are in the field.

In any event, in light of this apparent disconnect in our respective understandings of how the remaining data gap sampling was to unfold, perhaps we should move up the conference call in order to make sure that everyone is on the same page. We would appreciate your thoughts on this. Thanks. Rich

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**From:** Fajardo, Juan [mailto:Fajardo.Juan@epa.gov]

**Sent:** Friday, March 20, 2015 7:59 AM

**To:** Ricci, Richard F.

**Cc:** Carpenter, Angela; Mitchell, Tanya; Sivak, Michael; Draikiwicz, Michael (michael.draikiwicz@novartis.com); mfaigen@issuesllc.com; Brian Bergeron; Gary M. Fisher

**Subject:** RE: Rolling Knolls Landfill Oversight Cost Meeting

Richard –

Thanks. We agree with your summary.

Juan

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**From:** Ricci, Richard F. [mailto:RRicci@lowenstein.com]

**Sent:** Thursday, March 19, 2015 1:41 PM

**To:** Fajardo, Juan

**Cc:** Carpenter, Angela; Mitchell, Tanya; Sivak, Michael; Draikiwicz, Michael (michael.draikiwicz@novartis.com); mfaigen@issuesllc.com; Brian Bergeron; Gary M. Fisher

**Subject:** Rolling Knolls Landfill Oversight Cost Meeting

Juan – Thanks very much for arranging yesterday's meeting, which we found to be very useful and productive. I wanted to summarize the key takeaways:

1. In the future, in revising documents in response to Agency comments, we will submit a blackline that highlights changes from the previous version. This will, hopefully, obviate the need for the Agency to review each submission cover to cover.
2. The Agency agreed to provide us in November with a ballpark estimate of oversight costs for the fiscal year ending the previous September 30. I will send a reminder to you on this in mid-November.
3. Although there is very little the Agency can do to address our concerns regarding the lack of back-up information for the Interagency Agreement Costs, Angela indicated that she would raise our concerns with the Cost Recovery Section, not with respect to Rolling Knolls specifically, but as a larger policy issue.
4. Written field change notices will continue to be required for all major changes in approved sampling activities. Minor changes can simply be noted in the field log book. Although we did not really define what is major and what is minor, Tanya noted that she is always available by cell phone to discuss field changes.
5. Tanya stated that we do not need to submit a new QAPP and SAP for the additional delineation sampling that we will be conducting to complete the data gap sampling. Rather, we can simply submit addenda to the approved QAPP and SAP that show the new sample locations.
6. We discussed the possibility of regularly scheduled conference calls to review project status and flag problems. While the Agency did not believe such calls to be necessary, we agreed that it would make sense to schedule calls in advance of significant site activities. We, thus, agreed that a call would be appropriate for around the end of April, in advance of the additional data gap sampling.
7. In order to improve Agency/Group communications, Tanya agreed to copy our Technical Committee on substantive emails to Arcadis. We agreed that only Arcadis would respond to such emails. Here are the email addresses of our current Technical Committee members:

Michael Draikiwicz – [Michael.draikiwicz@novartis.com](mailto:Michael.draikiwicz@novartis.com)

Gary Fisher – [gary.fisher@alcatel-lucent.com](mailto:gary.fisher@alcatel-lucent.com)

Brian Bergeron – [pete.bergeron@chevron.com](mailto:pete.bergeron@chevron.com)

If this email does not comport with your understanding of the takeaways from the meeting, please let me know. Again, many thanks for putting this together.

Regards. Rich Ricci

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